

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	
)	CASE NO.19-55850-JWC
TRACI NICHOLLE BRYANT)	
)	
)	CHAPTER 7
Debtor.)	

TRUSTEE'S APPLICATION FOR EMPLOYMENT OF COUNSEL

COMES NOW, Tamara Miles Ogier as Trustee and shows this Honorable Court the following:

1.

Applicant is the Trustee in the matters set forth herein and desires to employ the firm of Ogier, Rothschild & Rosenfeld, P.C. as her attorney in the above-referenced matter.

2.

Said attorneys are admitted to practice in this Court, have knowledge and experience in bankruptcy practice and are well qualified to represent the Applicant.

3.

Professional services to be rendered for which it is necessary to retain an attorney are as follows:

- a. Examinations related to review of petitions and schedules;
- b. Investigation, analysis and action, if any, relative to any preference, improper disposal of assets, reclamation requests and petitions, and pending litigation involving the bankrupt, specifically in this matter looking into real property in Decatur, Georgia for potential sale.
- c. Investigation into possible assets of the bankrupt and services incidental to the sale of any assets.
- d. Preparation of complaint, pleadings, applications, motions and appearances

on behalf of the Trustee at any hearing in connection therewith;

e. Taking any and all other necessary actions incidental to the preservation and administration of this Estate.

4.

The appointment of the firm of Ogier, Rothschild & Rosenfeld, P.C. will be in the best interest of the Estate.

5.

Neither Ogier, Rothschild & Rosenfeld, P.C., nor any member of counsel's firm has had any business, professional or other connections with the aforementioned Debtor(s), creditors, parties in interest, their respective attorneys and accountants, the United States Trustee or persons employed by the United States Trustee which would be adverse to this Estate.

6.

The Trustee is an employee of the firm of Ogier, Rothschild & Rosenfeld, P.C., and as such is inherently moving for appointment of herself as attorney for the Trustee.

7.

In order to expedite the marshalling of the Estate's assets, Ogier, Rothschild & Rosenfeld, P.C. has heretofore performed certain professional services for the Estate or plans to perform such services which may be rendered prior to the signing of any order upon this Application.

8.

Applicant proposes that said firm be compensated for its services in accordance with future orders of the Court based upon the criteria for professional compensation required by bankruptcy law.

9.

Counsel will seek compensation comparable to the cost of services other than a case under Title 11. Such compensation may include compensation for risk of success and delay

in payment.

Counsel's current hourly rates for services performed for clients compensating said services as incurred on a monthly basis are:

William L. Rothschild	-	\$450.00 - \$525.00 per hr.
Tamara Miles Ogier	-	\$395.00 - \$470.00 per hr.
Allen Rosenfeld	-	\$395.00 - \$470.00 per hr.
Kathleen Steil	-	\$300.00 - \$390.00 per hr.
Paralegal	-	\$115.00 - \$200.00 per hr.

Such rates may vary in the future.

WHEREFORE, Applicant prays that she be authorized to retain and appoint Ogier, Rothschild & Rosenfeld, P.C. as attorneys in these proceedings.

OGIER, ROTHSCHILD & ROSENFELD, P.C.

By: /s/ Tamara Miles Ogier

Tamara Miles Ogier
Georgia Bar No. 550355

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IN RE:)
) CASE NO.19-55850-JWC
TRACI NICHOLLE BRYANT)
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**VERIFIED STATEMENT OF TAMARA MILES OGIER PURSUANT TO
FED.R.BANKR.P. 2014(a), IN SUPPORT OF APPLICATION TO EMPLOY
OGIER, ROTHSCHILD & ROSENFELD, P.C. AS ATTORNEYS FOR CHAPTER
7 TRUSTEE**

Tamara Miles Ogier, pursuant to Fed.R.Bankr.P. 2014(a) makes this Verified Statement in support of the Application to Employ Ogier, Rothschild & Rosenfeld, P.C. as Attorneys for Tamara Miles Ogier as Chapter 7 Trustee and shows this Court as follows:

1.

Applicant is a partner in the law firm of Ogier, Rothschild & Rosenfeld, P.C. with offices located at 125 Clairemont Avenue, Suite 440, Decatur, GA 30030.

2.

Applicant is an attorney admitted to this Bankruptcy Court and is in good standing with this Court.

3.

To the best of Applicant's knowledge, Ogier, Rothschild & Rosenfeld, P.C. and the employees thereof represent no interest adverse to the Trustee, the Debtor(s), the Estate, or any creditors of the Estate in the matters upon which it is to be engaged for the Chapter 7 Trustee, and the Appointment of Ogier, Rothschild & Rosenfeld, P.C. will be in the best interests of the Estate.

4.

Neither I nor Ogier, Rothschild & Rosenfeld, P.C. have ever performed services for the Debtor(s), or for any creditor of the Debtor(s), in connection with the Debtor(s) or in connection with this case. To the best of my knowledge, neither I nor any employee have any “connection” [within the meaning of that term under Bankruptcy Rule 2014(a)] with the Debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the United States Trustee; provided however, I serve as bankruptcy trustee in cases in the Northern District of Georgia and this bankruptcy case, and I am appointed by the United States Trustee for Region 21.

5.

To the best of my knowledge, the undersigned and all employees of Ogier, Rothschild & Rosenfeld, P.C., are “disinterested persons” as defined by 11 U.S.C. §101(14), with respect to the above-captioned Debtor(s) and creditors.

1) Specifically, Ogier, Rothschild & Rosenfeld, P.C.

- a) Was never employed by the Debtor(s) or creditors prepetition;
- b) Is not a prepetition creditor of the Debtor(s) or creditors;
- c) Is not an equity security holder of the Debtor(s) or creditors;
- d) Is not an insider of the Debtor(s) or creditors; and,
- e) Is not and was not an investment banker for any outstanding security of the Debtor(s) or creditors.

2) Applicant has not been, within three (3) years before the date of the filing of the petition, an investment banker for a security of the Debtor(s) or creditors, or an attorney for such an investment banker in connection with the offer, sale or issuance of a

security of the Debtor(s) or creditors, nor does applicant have an interest materially adverse to the interest of the estate of any class of creditors or equity security holders, by reason of any direct or indirect relationship to, connection with, or interest in, the Debtor(s) or an investment banker specified in subparagraphs above, or for any other reason;

3) Ogier, Rothschild & Rosenfeld, P.C. has advised the Trustee of its willingness to serve as attorney and to be employed under an order pursuant to which it will receive reasonable compensation for its services and be reimbursed for its expenses under applicable law, after notice and hearing;

4) Ogier, Rothschild & Rosenfeld, P.C., intends to bill for its legal services in this case in accordance with its usual practice, applying its customary hourly rates for matters of this type and charging the actual out-of-pocket disbursements and expenses customarily billed to its clients and necessarily incurred;

5) Applicant represents that Ogier, Rothschild & Rosenfeld, P.C. is eligible for employment and appointment by the Trustee pursuant to the Bankruptcy Code and the applicable Bankruptcy Rules; and,

6) Applicant states that the foregoing statements are true, and based upon my personal knowledge, and are made under penalty or perjury under the laws of the United States.

this 31st day of January, 2020

OGIER, ROTHSCILD & ROSENFELD, P.C.

By: /s/ Tamara Miles Ogier

Tamara Miles Ogier
Georgia Bar No. 550355

P.O. Box 1547
Decatur, Georgia 30031
(404) 525-4000
tmo@orratl.com

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing TRUSTEE'S APPLICATION FOR EMPLOYMENT OF COUNSEL by depositing in the United States Mail, postage prepaid and addressed to:

United States Trustee
362 Richard B. Russell Building
75 Ted Turner Drive S.W.
Atlanta, Georgia 30303

Traci Nicholle Bryant
2550 Woodridge Drive
Decatur, GA 30033

J. Keith Cornwell
Suite 400 2180 Satellite Blvd.
Duluth, GA 30097

Dated: January 31, 2020

OGIER, ROTHSCHILD & ROSENFELD, P.C.

By: /s/ Tamara Miles Ogier

Tamara Miles Ogier
Georgia Bar No. 550355

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